REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-52 are pending. Claims 1-52 stand rejected.

Claims 1, 11-14, 16-18, and 28 have been amended. Claims 15 and 19 have been

canceled. No claims have been added. Support for the amendments is found in the specification,

the drawings, and in the claims as originally filed. Applicant submits that the amendments do

not add new matter.

REJECTIONS UNDER 35 U.S.C. § 112

The Examiner has rejected claims 11-17 under 35 U.S.C. §112 second paragraph, as

being indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

Applicant has amended claims 11-14, and16-17. Applicant has canceled claim 15.

Therefore, Applicant respectfully submit that the Examiner's rejection of claims 11-17 under 35

U.S.C. §112 second paragraph has been overcome.

REJECTIONS UNDER 35 U.S.C. § 102

Claims 11-17 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent

No. 6,260,157 to Schurecht, et al. ("Schrecht").

Applicant has amended claim 11 to particularly point out that providing the DSP with the

updates for the DSP boot program includes checking a vector table to determine whether to read

the updates for the boot program to be loaded to the DSP from an internal ROM, a SRAM, or a

combination of both; and after checking the vector table, loading the updates for the boot

program through a controller-to-DSP gateway to a DSP program memory.

Schurecht discloses a program stored in program ROM 45 ("ROM code") that has jump

instructions. Patch programs are stored in program RAM 50 (Figure 1). Patching of the ROM

code using patch programs stored in RAM 50 is performed at jump instructions. In particular,

Schurecht discloses

> Initially, patch programs, which may include one or more patch instructions, are stored in
> the external memory 7 and are loaded into the program RAM 50 preferably at the same
> time that the patch vector table is loaded into the data RAM 65. Thereafter, as the slave
> processor 30 executes the program instructions stored in program ROM 45, the slave
> processor 30 is directed, at each of the jump instructions, to jump to a location specified
> by the patch vector associated with that jump instruction. ... ... when a patch is to be
> performed at a jump instruction, the patch vector for that jump instruction is an address
> (or some other value that points to an address) in the program RAM 50 where the
> appropriate patch program is stored. Upon reaching such a jump instruction, the
> processor 30 jumps to the patch program in the program RAM 50 and executes the patch
> program. The patch program includes a jump instruction at the end thereof which causes
> the processor 30 to jump back to any desired address within the program ROM 45.

(Schurecht, col. 5, lines 10-33) (emphasis added)

Thus, Schurecht merely discloses loading patch programs to the RAM 50, then executing

the ROM code with patch programs already stored into the program RAM using a patch vector

table, in contrast to checking a vector table to determine whether to read the updates for the boot

program to be loaded to the DSP from an internal ROM, a SRAM, or a combination of both; and

after the checking, loading the updates for the boot program through a controller-to-DSP

gateway to a DSP program memory, as recited in amended claim 11. Additionally, Schurecht

fails to disclose loading the updates for the boot program to a DSP program memory through a

controller-to-DSP gateway, as recited in amended claim 11.

Because Schurecht fails to disclose all limitations of amended claim 11, Applicant

respectfully submit that amended claim 11 is not anticipated by Schurecht under 35 U.S.C. §

102(e).

Given that claims 12-14, and 16-17 depend from amended claim 11, and add additional

limitations, Applicant respectfully submit that claims 12-14, and 16-17 are anticipated by

Schurecht under 35 U.S.C. § 102(e).

Claim 19 is rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent

No. 6,675,233 to Du, et al. ("Du").

Applicant has canceled claim 19 to overcome the Examiner's rejection.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 1-10, 18, 20, 25, 28-30, 34, 36, 39-41, 45 and 47-52 have been rejected under 35

U.S.C. § 103(a) as being unpatentable over Du, in view of U.S. Patent No. 6,791,481, to Altare,

et al. ("Altare").

Applicant has amended claim 1 to include recording audio files to the primary device's

storage location while the primary device is in the power saving mode, wherein the recording

includes processing a sound by a digital signal processor (DSP); and passing a processed sound

from the DSP through a controller- to-DSP gateway to a microcontroller to send to the primary

device's storage location.

The Examiner acknowledged that "Du et al. do not disclose recording audio files to the

primary device's storage location while the primary device is in the power saving mode" (Office

Action, p. 13, 11/01/06). As such, Du fails to disclose recording audio files to the primary

device's storage location while the primary device is in the power saving mode, wherein the

recording includes processing a sound by a digital signal processor (DSP); and passing a

processed sound from the DSP through a controller- to-DSP gateway to a microcontroller to send

to the primary device's storage location, as recited in amended claim 1.

Altare merely discloses a MP3 recorder/player for use with a CD-ROM that converts

analog sound or speech to a digital code (col. 12, lines 5-9). More specifically, Altare merely

discloses that encoded data a directly passed from MP3 encoder/decorder 34 to a microprocessor

MPU 31 (Figures 1-4, col. 10, lines 31-67), in contrast to passing a processed sound from the

DSP through a controller- to-DSP gateway to a microcontroller to send to the primary device's

storage location while the primary device is in the power saving mode.

As such, neither Du, nor Altare discloses, teaches, or suggests discussed limitations of

amended claim 1.

Consequently, even Du and Altare were combined, such a combination would lack

limitations of amended claim 1 of passing a processed sound from the DSP through a controller-

to-DSP gateway to a microcontroller to send to the primary device's storage location.

Therefore, Applicant respectfully submits that amended claim 1 is not obvious under 35

U.S.C. § 103(a) over Du, in view of Altare.

Because amended claim 18 includes at least the discussed limitations of amended claim

1, Applicant respectfully submits that amended claim 18 is not obvious under 35 U.S.C. § 103(a)

over Du, in view of Altare.

Given that claims 2-10, 20, and 25 depend from respective amended claims 1 and 18,

Applicant respectfully submits that amended claims 2-10, 20, and 25 is not obvious under 35

U.S.C. § 103(a) over Du, in view of Altare.

Amended claim 28 includes a gateway coupled to the micro-controller. A DSP is coupled

to the micro-controller through the gateway, wherein the DSP is to read user requested files,

decode user requested files, and to pass a decoded user requested files through the gateway to the

micro-controller to write to user files to the storage location when the primary device is in the

power saving state.

The Examiner stated that

> Du... discloses apparatus, comprising:... a gateway coupled to the micro-controller (
> function key interface 46 and LCD interface 57 each act as gateways to their respective
> external devices).."

(Office Action, p.19, 11.01.06).

Applicant respectfully disagrees.

Du merely discloses Function Key interface 46 between microprocessor 48 and function keys 66 and LCD interface 57 between microprocessor 48 and a display (Figure 4), in contrast to a gateway between a DSP and a micro-controller, as recited in amended claim 28. Additionally, Du fails to disclose a DSP to pass to pass a decoded user requested files through the gateway to the micro-controller to write to user files to the storage location when the primary device is in the power saving state, as recited in amended claim 28.

As discussed above, Altare, similarly to Du, fails to disclose a gateway between a DSP and a micro-controller, as recited in amended claim 28. Additionally, Altare, similarly to Du, fails to disclose a DSP to pass to pass a decoded user requested files through the gateway to the micro-controller to write to user files to the storage location when the primary device is in the power saving state, as recited in amended claim 28.

Consequently, even if Du and Altare were combined, such a combination would lack such limitations of amended claim 28.

Therefore, it is respectfully submitted that amended claim 28 is not obvious under 35 U.S.C. § 103(a) over Du, in view of Altare.

Given that claims 29-30, 34, 36, 39-41, 45, and 47-52 depend from amended claim 28, and add additional limitations, Applicant respectfully submits that claims 29-30, 34, 36, 39-41, 45, and 47-52 are not obvious under 35 U.S.C. § 103(a) over Du, in view of Altare.

Claims 21 and 35 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Du, in view of Altare and further in view of U.S. Patent No. 6,278,048 to Lee, ("Lee").

With respect to amended claim 18, as discussed above, neither Du, nor Altare discloses the limitations of passing a processed sound from the DSP through a controller- to-DSP gateway

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to a microcontroller to send to the primary device's storage location while the primary device is in the power saving mode.

Lee merely discloses an MP3 karaoke player (Figures 1, 2), and similarly to Du and Altare, fails to disclose discussed limitations of amended claim of passing a processed sound from the DSP through a controller- to-DSP gateway to a microcontroller to send to the primary device's storage location while the primary device is in the power saving mode.

Therefore, it is respectfully submitted that amended claim 18 is not obvious under 35 U.S.C. § 103(a) over Du, in view of Altare, and further in view of Lee.

Because claim 21 depends from amended claim 18, and adds additional limitations, it is respectfully submitted that amended claim 21 is not obvious under 35 U.S.C. § 103(a) over Du, in view of Altare, and further in view of Lee.

With respect to amended claim 28, as discussed above, neither Du, Altare, nor Lee discloses, teaches, or suggests a gateway between a DSP and a micro-controller, as recited in amended claim 28. Additionally, neither Du, Altare, nor Lee discloses, teaches, or suggests a DSP to pass to pass a decoded user requested files through the gateway to the micro-controller to write to user files to the storage location when the primary device is in the power saving state, as recited in amended claim 28.

Therefore, it is respectfully submitted that amended claim 28 is not obvious under 35 U.S.C. § 103(a) over Du, in view of Altare, and further in view of Lee.

Because claim 35 depends from amended claim 28, and adds additional limitations, it is respectfully submitted that amended claim 35 is not obvious under 35 U.S.C. § 103(a) over Du, in view of Altare, and further in view of Lee.

Claims 22-24, 26, 27, 31-33, 37, 38, 42-44 and 46 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Du in view of Altare and further in view of the Applicant's admitted prior art.

The Examiner stated

"..with regard to the use of official notice in the rejection of claims 22-24, 26, 27, 31-33, 37, 38, 42-44 and 46, it is noted that the applicant has not made any attempt to traverse the assertion of official notice, therefore the well-known in the art statement is taken to be admitted prior art (see MPEP 2144.03."

(Office Action, p.7, 11/1/05).

It is respectfully submitted that the facts asserted in the Examiner's Official Notice, similarly to Du and Altare, does not disclose, teach, or suggest passing a processed sound from the DSP through a controller- to-DSP gateway to a microcontroller to send to the primary device's storage location while the primary device is in the power saving mode, as recited in amended claim 18.

Therefore, it is respectfully submitted amended claim 18 is not obvious over Du in view of Altare, and further in view of the facts asserted in the Examiner's Official Notice.

With respect to amended claim 28, it is respectfully submitted that the facts asserted in the Examiner's Official Notice, similarly to Du and Altare, do not disclose, teach, or suggest a gateway between a DSP and a micro-controller, as recited in amended claim 28. Additionally, it is respectfully submitted that the facts asserted in the Examiner's Official Notice, similarly to Du and Altare, do not disclose, teach, or suggest a DSP to pass to pass a decoded user requested files through the gateway to the micro-controller to write to user files to the storage location when the primary device is in the power saving state, as recited in amended claim 28.

Therefore, it is respectfully submitted amended claim 28 is not obvious over Du in view of Altare, and further in view of the facts asserted in the Examiner's Official Notice.

Given that claims 22-24, 26, 27, 31-33, 37, 38, 42-44 and 46 depend from respective amended claims 18 and 28, and add additional limitations, Applicant respectfully submits that claims 22-24, 26, 27, 31-33, 37, 38, 42-44 and 46 are not obvious over Du in view of Altare, and further in view of the facts asserted in the Examiner's Official Notice.
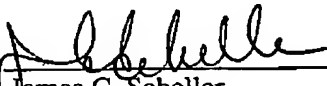
CONCLUSION

It is respectfully submitted that in view of the amendments and arguments set forth herein, the applicable rejections and objections have been overcome. If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

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